

MDR Tracking Number: M2-03-1460-01
IRO Certificate# 5259

July 29, 2003

An independent review of the above-referenced case has been completed by a medical physician [board certified] in physical medicine and rehabilitation. The appropriateness of setting and medical necessity of proposed or rendered services is determined by the application of medical screening criteria published by ____, or by the application of medical screening criteria and protocols formally established by practicing physicians. All available clinical information, the medical necessity guidelines and the special circumstances of said case was considered in making the determination.

The independent review determination and reasons for the determination, including the clinical basis for the determination, is as follows:

See Attached Physician Determination

____ hereby certifies that the reviewing physician is on Texas Workers' Compensation Commission Approved Doctor List (ADL). Additionally, said physician has certified that no known conflicts of interest exist between him and any of the treating physicians or providers or any of the physicians or providers who reviewed the case for determination prior to referral to ____.

CLINICAL HISTORY

This is a 53-year-old female reporting injury while lifting a pillbox from floor to chair and then carry into the medical department. This claimant has completed a workup including MRI of the lumbar spine, and a lumbar myelogram revealing severe degenerative changes. She has received extensive physical therapy and is on limited duty and continues to require medications with ongoing pain complaints.

REQUESTED SERVICE (S)

RS Muscle Stim-Purchase

DECISION

Agree with adverse determination.

RATIONALE/BASIS FOR DECISION

After review of the medical records, there was no medical information provided that indicated use of the muscle stimulator as requested that provided any reduction in the patient's complaints of pain, no evidence of change in functional ability of improvement in functional ability, and no evidence of reduction in utilization of prescription pain medication.

The answers provided to a questionnaire from the muscle stimulation manufacturer are insufficient to warrant the purchase of this device as a long-term modality for pain control. The fact that the physician's notes did not reflect any significant impact on her condition is considered more pertinent.

There is no indication for purchase of this RS muscle stimulator to treat the individual with acute lumbosacral strain with a pre-existing condition of advanced degenerative disease.

YOUR RIGHT TO REQUEST A HEARING

Either party to this medical dispute may disagree with all or part of the decision and has a right to request a hearing.

If disputing a spinal surgery prospective decision a request for a hearing must be in writing, and it must be received by the TWCC Chief Clerk of Proceedings within **10** (ten) calendar days of your receipt of this decision (20 Tex. Admin. Code 142.5©)

If disputing other prospective medical necessity (preauthorization) decisions a request for a hearing must be in writing, and it must be received by the TWCC Chief Clerk of Proceedings within **20** (twenty) calendar days of your receipt of this decision (28 Tex. Admin. Code 148.3)

This decision is deemed received by you 5 (five) days after it was mailed or the date of fax (28 Tex. Admin. Code 102.4(h) or 102.5(d)). A request for a hearing and a **copy of this decision** must be sent to:

Chief Clerk of Proceedings/Appeals Clerk
Texas Workers' Compensation Commission
P.O. Box 17787
Austin, Texas 78744

Or fax the request to (512) 804-4011. A copy of this decision must be attached to the request.

The party appealing the decision shall deliver a copy of its written request for a hearing to the opposing party involved in the dispute.

In accordance with Commission Rule 102.4(h), I hereby verify that a copy of this Independent Review Organization (IRO) Decision was sent to the carrier, the requestor and claimant via facsimile or U.S. Postal Service from the office of the IRO on this 30th day of July 2003.